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RUEKJCS/Joint STAFF WASHDC//J-3/J-5//  
RUEILB/NCTC WASHINGTON DC  
RHEHAAA/NSC WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 03 ANKARA 001600

SIPDIS

DEPARTMENT FOR EUR/SE AND NEA/I

E.O. 12958: DECL: 11/06/2014

TAGS: PREL PGOV PTER TU IZ

SUBJECT: IRAQ-TURKEY COUNTERTERRORISM AGREEMENT

REF: ANKARA 1534

Classified By: POL Counselor Daniel O'Grady, for reasons 1.4(b,d)

¶1. (C) The Ministry of Foreign Affairs November 5 gave us an English-language copy of the Iraqi-Turkish counter-terrorism agreement signed by the two countries' Interior Ministers during Prime Minister Erdogan's October 15 visit to Baghdad (REFTEL). MFA contacts contend this agreement provides a legal basis for their expectation of increased Iraqi government pressure on PKK/KONGRA-GEL terrorists harboring in northern Iraq. Those contacts said they did not expect the GoI to move militarily any time soon against PKK camps in the Qandil mountains. However, they hope the Iraqis will begin curbing the freedom of movement of PKK members, discouraging the terrorists' commercial activities in northern Iraq and impeding their access to local hospitals. Our contacts told us the agreement's original Article IV, which sought to secure GoI acquiescence to Turkey's cross-border military operations against the PKK, was removed just prior to signing at the insistence of Iraqi Minister of Interior Al Bulani. The agreement must be ratified by the Turkish parliament before it can go into effect.

¶2. (SBU) Begin text:

Agreement Between the Republic of Iraq and the Republic of Turkey on Combating Terrorism

The Republic of Iraq and the Republic of Turkey, hereinafter called "the Parties":

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to regional and international peace and security and that all acts of terrorism are criminal and unjustifiable regardless of their motivation, whenever and whomsoever committed;

Stressing their determination to combat all forms of terrorism;

Reaffirming, the existence of the belief and determination of the Parties for deepening and reinforcing the cooperation between the two countries, developing the existing good neighborly relations and strengthening the friendly ties in

order to establish the security of the common borders binding the two neighboring countries and to prevent the infiltration of the terrorist elements through the borders aiming at destruction of the security and stability of the two countries;

Deeply concerned by the increasing number of victims, including civilians, children, police and military personnel, as well as by the destruction and damage caused by acts of terrorism committed in particular by the terrorist organization PKK/KONGRA-GEL, and all entities affiliated with it and the terrorist organizations Ansar ul Sunna, Ansar ul Islam and Al Qaeda along with other terrorist groups affiliated with them, which constitute a threat to their security, stability and an impediment to the enhancement of bilateral relations;

Recognizing that, the Ankara Agreement signed by the two Parties on 5 June 1926, Friendship and Good Neighborly Relations Agreement between Turkey and Iraq, signed on 29 March 1946 and the Agreement Between the Republic of Turkey and Republic of Iraq on Legal and Judicial Matters signed on 19 September 1989 and the Memorandum of Understanding signed by the Prime Ministers of the Republic of Turkey and the Republic of Iraq on 7 August 2007 are in force between the two States;

Confirming once again that the right of the peoples of both countries to a more secure and stable life is a fundamental right as underlined in the meetings of the Ministers of

ANKARA 00001600 002 OF 003

Interior and Foreign Affairs of the Neighboring States of Iraq;

Emphasizing their obligations to implement in full UN Security Council Resolutions 1373 (2001), 1546 and 1566 (2004) and 1624 (2005), as well as their common desire to cooperate effectively in combating the terrorist activities perpetrated by the terrorist groups:

Herewith agree:

#### ARTICLE I

The Parties shall take effective measures to prevent the preparation and commission of terrorist acts aimed at the security, territorial integrity and inviolability of borders and safety of citizens of the other party.

#### ARTICLE II

To this end the Parties shall take, inter alia, the following measures:

a) to put an end and to prevent terrorist groups from using their respective territories as bases for presence, recruitment, training, planning, inciting or launching of terrorist acts against the other party;

b) to put an end and to outlaw all kind of financing activities, of the terrorist groups and logistical support given to these groups directly or indirectly

c) not to allow any mass media activities of the terrorist organizations including their radio and TV broadcasting, as well as their propaganda activities inciting terrorist acts;

d) to prevent the members of the terrorist organizations from affiliating with any political institutions and/or activity in their respective countries and from joining any state organization or official institution.

#### ARTICLE III

Each of the Parties are responsible for denying safe haven and bringing to justice, on the basis of the principle of "extradite or prosecute", any person who supports, facilitates, participates, or attempts to participate in financing, planning, preparation or commission of acts of a terrorist organization.

#### ARTICLE IV

Within a period of one (1) month after the entry into force of this Agreement, the Parties,

- a) shall exchange information on the terrorist organizations operating in their countries and the individuals involved in terrorist acts
- b) shall exchange the international arrest warrants relating to terrorists sought with Interpol Red Notices or by Diffusion
- c) shall appoint to their respective diplomatic missions a liaison contact point and provide the exchange of information for the implementation of the provision of this Agreement.

#### ARTICLE V

The Parties shall set up a Coordination Committee, responsible for the implementation of this Agreement which shall be chaired by the Ministry of Interior of the Republic

ANKARA 00001600 003 OF 003

of Turkey and the Ministry of Interior of the Republic of Iraq with participation of experts of other ministries or governmental institutions.

The Coordination Committee shall regularly meet every six months alternately in Turkey and Iraq.

In case of an urgent need, the Committee shall meet upon the request of one of the parties.

#### ARTICLE VI

This Agreement shall enter into force on the date of the receipt of the notification by which the Parties notify the completion of their respective internal legal procedures for notification.

This Agreement shall remain in force unless one of the Parties denounce it through diplomatic channels. The Agreement's validity will end after six (6) months following the receipt by the other Party of the notification of denunciation.

#### ARTICLE VII

This Agreement is done in duplicate in Baghdad on 15 October 2009, in the Turkish, Arabic, and English languages. All texts are equally authentic. In case of divergence of interpretation the English text shall prevail.

For the Government of The Republic of Iraq Cevad Al Bulani Minister of Interior	For the Government of The Republic of Turkey Besir Atalay Minister of Interior
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End Text

JEFFREY

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